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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS
10003407-1
(HPCO.140PA)

Applicant: Hao et al.
Serial No.: 09/847,390
Filed: May 2, 2001
Examiner:
Group Art Unit:
Docket No.:

Title: METHOD AND SYSTEM FOR WEB-BASED VISUALIZATION OF DIRECTED ASSOCIATION AND FREQUENT ITEMS SETS IN LARGE VOLUMES OF TRANSACTION DATA

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Petitions, P.O. Box 1450, Alexandria, VA 22313-1450, on October 15, 2004.
By: Tracey M. Dotter
Tracey M. Dotter

PETITION TO REVIVE UNAVOIDABLE ABANDONED APPLICATION
37 C.F.R. § 1.137(A)

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The present application is thought to be active and not Abandoned by the Patent and Trademark Office (PTO). To the knowledge of the undersigned, no Notice of Abandonment is known to have been issued by the PTO. However, this petition is being submitted along with separately and timely filed Notice of Appeal in the event that the case is considered abandoned by the PTO and the communication has not yet been received by the undersigned.

The present petition seeks revival of the above-identified patent application Serial No. 09/847,390. If this application is considered abandoned, the abandonment was unavoidable.

As evidenced below (and through the attached true copies of each item) with details in chronological order, the abandonment should never have occurred because Applicants properly responded to the PTO communications.

10/21/2004 AMONDAF1 00000178 002025 09847390
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A Final Office Action was issued on December 30, 2003 in which all claims were finally rejected (see Exhibit A). The two-month response period for the final rejection fell on Monday, March 1, 2004 because February 29, 2004 (two months from 12/30/2003), fell on a Sunday. An Amendment After Final Rejection (and an IDS with fee) was filed by U.S. mail on March 1, 2004 (see Exhibit B), and the PTO sent a return postcard stamped March 8, 2004 (see Exhibit C). The Amendment was timely filed and thought to place the application in condition for allowance.

On September 15, 2004 an Advisory Action was issued indicating that the Amendment After Final Rejection did not place the application in condition for allowance but would be entered for purposes of Appeal (see Exhibit D). The Advisory Action was therefore issued beyond the 6-month statutory period for response. Since Applicants timely filed a response, which was thought to place the application in condition for allowance, and the Patent Office did not communicate otherwise, any resulting abandonment was unavoidable.

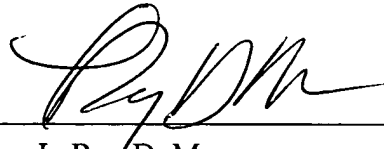
On October 15, 2004, the undersigned spoke with Examiner Channavajjala concerning status of the application and information in the Advisory Action. The Examiner explained the boxed checked under the PERIOD FOR REPLY section. The Examiner explained that box "a" was checked because the Advisory Action was issued beyond the six-month statutory period for response.

Accordingly, Applicants submit that timely responses were filed based on PTO communications and any resulting abandonment was unavoidable.

Applicants do not believe a petition fee should be charged in view of the circumstances, but in the event it is deemed required, please charge Deposit Account No. 08-2025 (10003407-1) for the petition fee under 37 CFR § 1.17(l). Please also charge/credit 08-2025 (10003407-1) if it is determined that any additional fees are needed to revive the application.

Respectfully submitted,

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